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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/554,244

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Janos Csikos

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30593

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EXAMINER

LAYNO, BENJAMIN

ART UNIT

PAPER NUMBER

3711

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/554,244	<b>Applicant(s)</b> CSIKOS, JANOS	
	<b>Examiner</b> Benjamin H. Layno	<b>Art Unit</b> 3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/25/05, 01/25/06</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. The claims only recite structure of the invention. There is no functional recitation in the claims. What does the "Apparatus for playing cards" do? There must be a recitation that the apparatus is a playing card shuffling device and a playing card dealing device.
4. In claim 1, line 7 the recitation "a radial dealer arm" is indefinite because there is no functional recitation of the "radial dealer arm" in the claims. There is no functional recitation that the radial dealer arm somehow transports playing cards from the card magazine to at least one player's field.
5. In claim 1, line 10 the recitation "a card magazine" is indefinite because there is no positive recitation of "playing cards" in the claims, and there is no functional recitation that playing cards are held or placed inside the card magazine.
6. Claim 1, line 11 recites "a dealing device". What does the "dealing device" do? This is indefinite because there is no functional recitation in the claims that the dealing device somehow deals playing cards.

7. In claim 1, line 12 the recitation "an endless belt-conveyor" is indefinite because there is no functional recitation of the "endless belt-conveyor" in the claims. There is no functional recitation that the endless belt-conveyor somehow transports playing cards from the card magazine to at least one player's field.

8. Claim 1 recites other elements, e.g. "a card showing window", "a display", "a keyboard", "permanent magnets", "two card lifting devices", "electromagnets", "a drive", "a driving drum", "card identifying sensor" and "a computer". All these recitation are indefinite because there is no functional recitation in the claims describing exactly what role these elements play in the shuffling and dealing of the playing cards.

9. Claim 1, recites the limitation "the plate" in line 4. There is insufficient antecedent basis for this limitation in the claim.

10. Claim 1, recites the limitation "the card identifying sensor" in line 31. There is insufficient antecedent basis for this limitation in the claim.

### ***Allowable Subject Matter***

11. The following is a statement of reasons for the indication of allowable subject matter: The patents to Stroud, Tauschek, Fuller, Sivertson, Sobajima, Lamle and Kaji et al. all disclose playing card dealing and/or shuffling devices.

12. None of the cited references alone or in combination teach "a radial dealer arm is arranged under the plate of the gambling table and pivotably supported on a vertical shaft placed in the centre of curvature of the half-round gambling table, at the end of the dealer arm near the shaft a card magazine and a dealing device are arranged, on the

Art Unit: 3711

dealer arm an endless belt-conveyor is supported having a horizontal carrying section extending parallel to the plate of the gambling table between the card magazine and the outer end of the dealer arm" and "two card lifting devices are mounted onto the dealer arm the one is in a radial distance of and aligned with the card showing window or the player's field, the other is in a radial distance of and aligned with the card showing window of the dealer's field".

13. Claims 1-6 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin H. Layno whose telephone number is (571) 272-4424. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene Kim can be reached on (571)272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3711

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Benjamin H. Layno/  
Primary Examiner, Art Unit 3711

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Primary Examiner  
Art Unit 3711

bhl